

Klamath Falls: Where Civil Rights Meets Water Rights

By J.J. Johnson 07.07.01

It's the weekend in Klamath Falls. Even though the water has been turned off, the movement it has created flows downstream with a force even the federal government can't stop - as of now. Just like in Montgomery Alabama almost 46 years ago, a woman stepped forward to change to face of a movement and its momentum.

On the 1st of December 1955, Mrs. Rosa Parks, a Black seamstress in Montgomery Alabama, was tired and weary from a long day of work.

On the 4th of July in 2001, 30 year-old Andrea Zingg, a cosmetologist in Klamath Falls, Oregon was also tired and weary. Like many other women of the Klamath area, she had already been cutting back her hours due to the economic nightmare that has fallen upon her area. Like Rosa Parks, Andrea has never been involved in any activism and told Sierra Times, "I didn't even want to."

Despite a Constitutional Amendment stating that all persons are guaranteed "equal justice under the law", it was an "established rule" in the American south (at that time) that Blacks had to sit at the back of the bus. Black riders were also expected to surrender their seat to a white bus rider if it was needed.

Despite Constitutional Amendments guaranteeing due process and the right of private property over eighty years earlier, it was a forced rule by a federal judge this year that humans come second when it comes to water rights. The rules state that Humans are expected to surrender their water rights to sucker fish and coho salmon.

Rosa Parks was physically tired, but no more than you or I after a long day's work. In fact, under other circumstances, she would have probably given up her seat willingly to a child or elderly person. But this time Parks was tired of the treatment she and other Blacks were receiving every day of their lives, what with the racism, segregation, and Jim Crow laws of the time.

"Our mistreatment was just not right, and I was tired of it," writes Parks in her recent book, *Quiet Strength*, (Zondervan PublishingHouse, 1994). "I kept thinking about my mother and my grandparents, and how strong they were. I knew there was a possibility of being mistreated, but an opportunity was being given to me to do what I had asked of others."

In the case of Andrea Zingg, she was emotionally tired. On any given day, she too would seek to protect an endangered animal. A wife and mother of two, she explained with tears in her eyes to Sierra Times how she was so nervous about taking a stand on her own in Klamath Falls that she vomited 4 times en route to the A Canal Dam - that was opened in defiance of federal authority. Zingg was tired of the treatment Rural Americans have been receiving each day under the modern version of the Jim Crow laws - The Endangered Species Act. That Act that has been interpreted to mean animals have more rights - than humans.

"I don't see what the big deal is. This was an unjust ruling. Our constitutional rights are being trampled on. People who fought and who would have died for this country were

enticed to settle here and promised water, and are now being kicked in the pants," said Zingg, "I just want to fix a wrong that has been perpetrated against these people.

The rest of Parks' story is American history...her arrest and trial, a 381-day Montgomery bus boycott, and, finally, the Supreme Court's ruling in November 1956 that segregation on transportation is unconstitutional. And as a result of Rosa Parks' actions, the civil rights movement took flight.

As for Andrea Zingg, she hasn't been arrested - yet. But her stance led others to step forward and open a dam to send badly needed water to farmers and ranchers downstream. But Andrea Zingg's story is not part of American History -

Because it is happening now - today in Real America.

This true "American" story (in more ways than one) took the media by storm and even knocked a missing intern off the front pages in some places. Someone took a stand and led the force that was only *thought of* while staring hopelessly at a dry ditch. Three times within one week, residents of Klamath Falls broke through the chains, and opened the dam as a symbol of what was at stake downstream. But unlike Parks, neither Andrea, nor any of the at least 300 in attendance were arrested. This is what has placed Klamath County Sheriff Tim Evinger in the middle of what could easily become the next political and hostile flashpoint in America.

In what many see as a continued defiance of a community, Sheriff Evinger's deputies and local police watched while the damn was opened on Andrea Zingg's 30th birthday. But according to this Sheriff, he was just doing his job.

"We have had no one step up as a victim here. No state or county laws were broken. We have had no report of any crime from any person or agency. Therefore it was under my discretion to take any action", Sheriff Evinger told Sierra Times.

Obviously, he chose to take none.

Evinger said he was and will continue to do the job he was elected to do: "Serve and protect the people who elected him." He also stated that in cases of trespassing, usually a warning is given to the trespassers. To the best of Sheriff Evinger's knowledge, no warning was given.

But later Friday, Sierra Times received what could be considered a 'warning' from those who the Federal Bureau of Reclamation called upon to investigate this defiance of federal authority:

FBI Statement Regarding Klamath Basin Water Issue

The water rights issue in the Klamath Basin area has been a matter of concern to the FBI since its beginning earlier this year. The FBI's interest in this issue lies within its responsibility to investigate violations of federal law.

The Bureau of Reclamation and the Klamath County Sheriff's Office have reported the recent acts resulting in the release of water to the FBI. In addition, the FBI has consulted the United States Attorney's Office for an opinion as to the appropriate investigative response.

The FBI will continue to consider any and all violations committed against federal property or people employed by the federal government as serious and worthy of possible prosecution.

-end of press release-

When we asked Beth Anne Steele of the Portland FBI office if we could speak to the 'case agent' in charge of the Klamath Falls matter, she stated that "the case agent(s) are not allowed to answer questions to the media." The FBI receptionist alluded to the same answer.

Wrong answer. The correct answer should have been, "There is no case agent on the Klamath Falls matter". Their answer indicates an investigation is already under way. Case agents are only assigned if there is an investigation. As of this writing, we cannot determine the target of such an investigation.

Andrea Zingg asks, "Where do they draw the line?". She has no fear of getting arrested. "This issue is bigger than Klamath Falls." She said. "This is about children starving. This is about seniors being forced to spend their retirement savings just to dig a well in the Klamath Basin." Zingg says she will do it again and again if she has to. "We can't just roll over and take it."

Andrea made it clear that she is not a farmer. A city girl from Rochester, New York, she simply wanted to put another face on the matter. "I am not a 'Marlboro Man'. I'm not an angry farmer. I'm an angry mother." Andrea has two children ages 5 and 8 months, and a proud husband who Andrea says is just "jazzed about the whole thing". "He (Brian) has never been more proud of me," said Zingg.

Today, more signs are attached to the infamous fence at the A Canal Dam, and recently added to the night time landscape was a Dark Blue sedan that said "State Trooper" and looked unfamiliar to those who know what Oregon State Trooper vehicles look like. "No Trespassing" has been upgraded to "No Loitering." Sheriff Evinger stated that he will not tolerate violence or destruction and will take action if there is a threat of someone getting hurt. But still he is concerned due to the volatile nature of the situation, and hoped that when federal officials stepped in "they use a very measured and well-thought-out process and not invoke a riot situation."

Meanwhile, Sierra Times has learned that some ranchers and farmers are polarized on the issue of civil disobedience, but are willing to open up their farmland to concerned citizens from across the country that are expected to descend on Klamath falls to continue the protest at the dam and wherever they are needed. "Rosa Parks started a mass civil action in the south awhile back" said one Klamath Basin rancher who did not want to be named. "We don't want any violence, but it's time to take this to the next level. Maybe they thought we were just gonna put our mattresses on top of our pickups and drive away. Bet they never thought we'd fight back, and I bet they never thought America would join the battle".

What a way to celebrate the birth America's Independence - by having the Spirit of American Freedom reborn in a small American town 225 years later and 3,096 miles away- in a place called Klamath.

You see, America: Whether it is about civil rights or water rights, there really is no difference. Even though the pressure against the Bush Administration to address the matter

is growing, an iron curtain will soon fall over the Klamath Irrigation District.

Terrorism is defined as: "The use (or threatened use) of force by a group or individual to achieve political or social goals." The force in this case is a federal authority deciding how much of it to use against victims like 30 year-old Andrea Zingg and others for responding to federal policy in kind. According to Dave Solem of the Klamath Irrigation District, the needed amount of water (and more) sits dormant in the Klamath Reservoir. The political and social goal in this matter is to show the residents of Klamath County who has got the power in Oregon - a bottom feeder that can even survive in mud. As Andrea screamed on her last birthday at the A Canal Dam, "Can they have the 6 inches of water they need??"

Yeah, they thought Rosa Parks was a threat, too.

Empty canals lead to empty irrigation ditches, to empty fields, to empty reservoirs, to empty fears, to empty threats. All this is because of "empty promises" from the Federal Government. But these are Westerners. These are Americans - a special breed of mankind woven into the fabric of Americana. Eighty years of the blood, sweat and tears that they've pumped into this land make them - part of the landscape itself.

...And the majority of this special breed in the Klamath Falls Upper Basin and the surrounding areas are still not for sale at any price.

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